



Federal Aviation
Administration

Role of FAA in Public Aircraft Oversight

NTSB Public Aircraft Forum

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Overview

- Two types of Public Aircraft Operations
 - Operations by Government Entities
 - Contract Operations for Government Entities
- FAA Oversight
- Process for Contractors
- Questions and Answers

Types of Public Aircraft Operations

- **Operations by Government Entities**
 - Statute distinguishes: Federal, State, or U.S. Armed Forces
- **Operations by Contractors**
 - Application of the statute differs depending on sponsoring government entity; either Federal, State, or U.S. Armed Forces

FAA Oversight

- **Operations by Government Entities**

- The FAA has limited authority over public aircraft operations under the statute
 - Public aircraft operations are subject to the regulations that apply to all aircraft in the NAS
- The government entity must ensure that they are conducting eligible public aircraft operations in compliance with the statute
- The government entity is responsible for oversight of the operation, the aircraft, and the pilots when conducting public aircraft operations

FAA Oversight

- **Operations by Government Entities cont.**
 - The fact that an aircraft has a civil airworthiness certificate does not imply that the FAA is overseeing the aircraft during a public aircraft operation
 - When operating as a civil aircraft, all civil regulations apply, even to government entities



FAA Oversight

- **Operations by Contractors**

- FAA policy states that civil operators under contract to government entities are presumed to remain civil until the FAA receives a written declaration of public aircraft status from the sponsoring government entity
- A contract with a government entity does not entitle the contractor to public aircraft status
- The FAA retains oversight for those operations that are not declared public aircraft operations or do not comply with the statute

FAA Process for Contractor Declarations

- The government entity provides the operator with a written declaration of public aircraft status (for each contract, not each flight);
- The proposed flights are determined (by the operator and government entity) to be eligible public aircraft operations under the statute; and
- The operator submits a copy of the written declaration to the FSDO in advance of any public aircraft operations conducted by the operator.

Declaration Information

At a minimum, a written declaration should include:

1. Name of contracted civil operator
2. Name of sponsoring government entity
3. Name, title, contact information for government contracting officer
4. Aircraft to be used (N-number and type)
5. Date of contract and termination date
6. Nature of operation(s), with enough detail to show governmental function
7. Description of maintenance program while conducting public aircraft operations (i.e. will aircraft continue to be maintained within civil maintenance regulations?)

Aircraft Return to Civil Operation

- The aircraft must conform to its type certificate and be in a condition for safe operation prior to conducting any civil operations.
- It is the operator's responsibility to ensure that the aircraft meets these requirements and any other applicable civil requirements.

Guidance

- **The FAA policy requesting a written declaration became effective March 23, 2011;**
- The FAA is revising Advisory Circular (AC) 00.1-1;
- The draft AC will be available for public comment on the FAA web site.

Questions?

